



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Acting Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2200407

Applicant Name: Goodwin Development LLC

Address of Proposal: 5409 Phinney Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a total of nine residential units and 17 parking spaces in a three story residential building. Project includes grading of 2,100 cubic yards of material.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC - Design Departures from the following standards.

- Section 23.45.010 Lot coverage standards.
- Section 23.45.011 Structure width and depth standards.
- Section 23.45.012 Modulation: front façade standards.

SEPA DETERMINATION: [] Exempt [] DNS [] MDNS [] EIS

[X] DNS with conditions*

[] DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

* Early DNS Notice published September 26, 2002

BACKGROUND DATA

Site and Area Description

Facing onto the intersection of Phinney Avenue North and North 55th Street, the proposed structure lies within a Lowrise Three (L3) zone with a thirty foot height limit. Expansive views toward Ballard, Puget Sound and the Olympic Mountains are created by the downward slope toward the west. Three structures currently occupy the site---a small single family residence, a single story duplex and a single story triplex. A fire left the duplex vacant. None of the residential structures have historic significance.

Directly across Phinney Avenue N. is the west entry of the City's Woodlawn Park Zoo. The park-like appearance of the zoo dominates the eastern edge of Phinney Ave. N. Along Phinney Avenue N. runs a corridor of multi-family residential, retail, small business services and institutions. A narrow corridor of L-3 zoning extends along the west edge of Phinney Avenue N. approximately one-half block deep beginning at N. 49th Street and ending at N. 60th Street. This roughly parallels the length of the zoo. A two story apartment building lies adjacent to the site on the south. Two neighborhood landmarks include the Norse Home, a retirement facility, on the south side of North 54th Street, and St. John's Lutheran Church across North 55th Street. Both buildings were constructed in 1955.

Proposal Description

The applicant proposes a nine unit, three-story, multi-family building with enclosed, below-grade parking. The design concept provides a semi-circular entry court off Phinney Ave. N. with the mass of the structure radiating fan-like toward the western and northern portions of the lot. The scheme sets back from the property's northwest quadrant in order to preserve the scenic vista from the intersection of Phinney Ave. N. and N. 55th Street and to save a large evergreen tree. Vehicular access occurs on N. 55th Street, 63 feet from Phinney Ave. N.

The proposal requires design review and three departures from Land Use Code requirements in the L3.

Public Comments

Nine citizens attended the Early Design Guidance meeting. Comments focused on the location of residential parking, street improvements, the grade of the lot, screening from the adjacent single family residences, materials, and preservation of a tree. Other individuals urged the applicant to add more glazing to the Phinney Ave. elevation in order that it not appears to be the backside of the building. These comments are integrated into much of the priorities section as well.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance Meeting on May 13, 2002. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design.

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

The Board prefers that the design sit at grade rather than below the street level. The structure should be built to the property line. Attempts to capitalize on the site's assets are welcome---its views, slope, and the large tree near N. 55th Street. Responding to the third scenario, the Board suggested that the bulk of the building could be kept to the south and stepped down toward N. 55th St.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

Although the proposed building will sit on a corner lot, a formal entrance should be located on Phinney Avenue. This will maintain the continuity of the streetscape. An entrance off a front courtyard is preferable.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The building should not tower over the neighbors directly to the west. Its mass and height accentuated by the slope may create a problematic transition between the two zones. By keeping the structure at or close to the Phinney Ave. property line, the architect will provide some relief to the adjacent properties.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The Board members expressed their satisfaction with the location of decks facing the western views.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

Although the proposed placement of the curb cut and driveway on N. 55th Street may cause turning difficulties during ice or snow conditions, the Board concurs with the architect's desire to site the vehicular entrance on N. 55th Street.

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The neighborhood context is eclectic with institutions and multi-family buildings extending along the west side of Phinney Ave. N. and single family residences farther to the west. Woodland Park Zoo provides substantial open space and vegetation across Phinney Ave. N. Examples of both pre- and post-World War II architecture surround the site. In the greater Phinney neighborhood, there are numerous older, brick apartment buildings that lend an urbane quality to the streetscapes.

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The Board accepted the premise of a flat roof for the structure.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board urged the applicant to use generous amounts of brick. They also preferred better window detailing than is usually done.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The relationship of the west garage elevation to the adjacent, downhill neighbors will be important. If there is a concrete wall, its harshness should be mitigated by adequate landscaping or detailing.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

See C-5.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Dumpsters and recycling areas should be kept out of site. Designate an area in the garage for these services.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavement, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

A landscaping plan must address Phinney Ave. and the zoo's presence as well as provide privacy for both the dwellers of the proposed building and the adjacent neighbors to the west. Board members liked the idea of an entry courtyard facing the zoo.

The Board urged the applicant to consider saving the large tree in the parcel's northwest corner.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on August 14, 2002.

Public Comments

At the final recommendation meeting, two members of the community requested that the project team preserve the cedar tree at the northwest corner of the site and ensure that a minimum of decks overlook the neighbor's yard. In addition, they asked the architect and the Board to study the building's scale with a model and rethink the driveway access from NE 55th Street.

Two comment letters were received by the City. The writers urged the preservation of the view corridor, the tree on the northwest corner of the lot, and the use of quality materials.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation meeting on October 15, 2002, to review the applicant's formal project proposal developed in response to the previously identified priorities. At this public meeting, site plans, elevations, floor plans, landscape plans and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Development Standard Departures

The applicant requested departures from the following standards of the Land Use Code:

1. Lot coverage. Maximum lot coverage is 45 percent.
2. Structure Width and Depth. Maximum structure width is 75 feet; maximum structure depth is 65 percent of lot.
3. Front Façade Modulation. Maximum linear feet without modulation are 40 feet with a principal entrance facing the street.

Recommendations

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board agreed that the lighter pink tone shown on the color elevations should be changed. The multi-color scheme; however, was preferable. By a 4 to 0 vote, the Board members recommended that the Design Review Planner review and condition the building color selections.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

The building's dumpster and recycling containers will be located in the garage. On pick-up day, the storage containers should rest on a flat pad east of the driveway in order to protect the tree from the garbage and recycling trucks.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The landscape program needs refinement. The rear yard of the proposed building must be considerably enhanced to enable the unit owners to enjoy their backyard and view. Plantings should soften the view from the neighbors who must look up at the new structure. By a 4 to 0 vote, the Board members recommended that the Design Review planner review and condition the project landscaping.

The Board strongly urged the architect to integrate the ramp into the fountain and outdoor stair design. The circular fountain lends itself to having the ramp wrap around it. Presently, the ramp

looks as if it is the step child of the project. By shifting the handicap ramp, the strip along the east side of the building becomes available as well landscaped open space.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

The tree is a significant neighborhood landmark. The Board urges the developer and DCLU to do everything possible to preserve it.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the October 15, 2002 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the October 15th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	ACTION
1. Lot coverage 23.45.010	45 percent (4,590 sq. ft.)	47.7% (4718 sq. ft.)	<ul style="list-style-type: none"> Provides a gracious central entry with fountain and brick pavers. 	APPROVED
2. Structure Width and Depth. 23.45.011	75' width. 65% depth of lot=55'3"	108.7 linear feet of width 73.3% (62'4" depth)	<ul style="list-style-type: none"> Unusual semi-circular shape not accounted for in Development Code. Depth and width mitigated by large central open space. 	APPROVED
3. Modulation: Front Facade. 23.45.012	40 feet with a principal entrance facing the street.	49'4 1/2"	<ul style="list-style-type: none"> 2nd floor terrace and variations of façade color. Unusual structure with a modulation equivalent in size to façade. 	APPROVED

The Design Review Board acknowledged the structure's unusual shape and expressed the belief that the Design Review program was meant to encourage the type of risks the project team was proposing. Therefore, the proposed departures are appropriate.

The Board recommended the following five CONDITIONS for the project. (Authority referenced in the letter and number in parenthesis):

1. Revise the color palette for the building and eliminate the light rose or pink color. (C-4)
2. Add a flat pad to the east of the driveway for the recycling containers on pick-up day. (D-6)

3. Develop a landscape plan that accommodates outdoor activities on the back lawn. (E-2)
4. Integrate the front entry ramp into the fountain and front entry stair design. (E-2)
5. Preserve the tree located on the development site's northwest corner. Special attention must be made during the construction period. (E-3)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director is bound by a four vote consensus approval of the design and requested design departures, except in certain cases, in accordance with Section 23.41.014.F.3. These exceptions are limited to inconsistent application of the guidelines, exceedance of the Board's authority, conflicts with SEPA requirements, or conflicts with state or federal laws. The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the condition recommended by four Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated August 14, 2002) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M and on Sundays from 10:00 A.M. to 5:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction timeframe if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DCLU Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DCLU building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 12 feet and will consist of approximately 2,100 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the

truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 210 round trips with 10-yard hauling trucks or 105 round trips with 20-yard hauling trucks, which are the standard for this size of undertaking. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Construction of the project is proposed to last approximately 14 months. Parking utilization along streets in the vicinity is near capacity during the summer and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park in the garage as soon as it is constructed for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; potential loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, traffic and parking impacts warrant further analysis.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that multifamily (apartments) projects generate approximately .62 average vehicle trips in the P.M. peak period per unit. Based on these estimates, the nine residential units in the building would result in approximately six trips. Access to the below-grade parking will occur from a driveway off of N. 55th Street. The number of vehicular trips will have an insignificant impact on local levels of service.

Parking

The proposed 17 parking spaces exceed the Land Use Code requirement for on-site parking. The on-site parking supply is anticipated to meet adequately the demands of the project, which is typically assumed to be a rate of 1.5 spaces per unit. No mitigation of parking impacts is necessary pursuant to SEPA. On-street parking is available on Phinney Avenue North. Chapter 23.54 of the Land Use Code addresses parking requirements. Since the proposal meets the minimum parking requirements of the Land Use Code, and spillover parking is anticipated, further SEPA mitigation of parking impacts is not warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Revise plans according to the following conditions.

1. Revise the color palette for the building and eliminate the light rose or pink color.
2. Add a flat pad to the east of the driveway for the recycling containers on pick-up day.
3. Develop a landscape plan that accommodates outdoor activities on the back lawn.
4. Integrate the front entry ramp into the fountain and front entry stair design.

During Construction

5. Develop a tree preservation plan prepared by a professional arborist and coordinate with Seattle Department of Transportation's arborist Bill Ames. The cedar tree is located on the project site's northwest corner.

Compliance with the approved design features and elements (including exterior materials landscaping and ROW improvements) shall be verified by the DCLU planner assigned to this project (Bruce P. Rips, 615-1392), or by the Senior Urban Design Planner. You must make an appointment with the assigned Land Use Planner at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

CONDITIONS-SEPA

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

6. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. All other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M. Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DCLU prior to each occurrence. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M and on Sundays from 10:00 A.M. to 5:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and would not be subject to the additional noise mitigating conditions.

7. Parking for construction workers shall be provided on-site as soon as the lower garage is completed.

Signature: _____ (signature on file) Date: April 15, 2004
Bruce P. Rips, AICP, Project Planner
Department of Design, Construction and Land Use
Land Use Services

BPR: vc

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